

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 5, 2002**

The Tippecanoe County Commissioners met on Monday, August 5, 2002 at 9:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel and Vice President KD Benson; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney Douglas J. Masson, and Secretary Pauline E. Rohr. (Commissioner Ruth E. Shedd was absent.)

President Knochel called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Benson moved to approve the minutes of the July 15, 2002 Regular Meeting and the July 24, 2002 Special Meeting as distributed, seconded by Commissioner Knochel; motion carried.

APPROVAL OF CLAIMS

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Benson moved to approve the Claims for the periods ending July 19, 2002, July 26, 2002, August 2, 2002, and August 5, 2002 as submitted, seconded by Commissioner Knochel; motion carried.

HIGHWAY: Executive Director Mark Albers

BID OPENING: CR 400 S Extension & CR 500 W Reconstruction

Attorney Masson opened and read bids for the extension of CR 400 S. the reconstruction of CR 500 W, and the installation of two small box culvert structures. The project also includes the reconstruction of the CR 500 W Norfolk & Southern RR Crossing and the jacking of two new culvert structures under the railroad.

Atlas Excavating, Inc.	Bid Bond	\$697,942.55
Rieth-Riley Construction Co., Inc.	Bid Bond	688,900.78
Milestone Contractors, L.P.	Bid Bond	669,162.43
Jack Isom Construction Co., Inc.	Bid Bond	733,485.70

- Upon Mr. Albers' recommendation, Commissioner Benson moved to take the bids under advisement, seconded by Commissioner Knochel; motion carried.

QUOTES OPENED : Striping

Attorney Masson opened and read the quotes.

Mike Madrid Co., Inc.	\$92,720.38
Chemi-trol Chemical Co.	60,848.54

Due to the large difference in the quotes, Mr. Albers requested a delay in awarding the quote until he can check the figures later in the meeting.

APPROVAL TO CLOSE BUCKINGHAM DR.

The Commissioners were asked to approve the closure of Buckingham Dr. from 8:00 A.M. to 4:30 P.M. for a neighborhood Basketball Party/Tournament on Saturday, August 17, 2002. Mr. Albers said there is other access to the subdivision and Buckingham Dr. can be opened for emergency vehicles if necessary. The subdivision will provide the signage for the closure.

- Commissioner Benson moved to approve the closure of Buckingham Dr. as requested, seconded by Commissioner Knochel; motion carried.

TRAFFIC CIRCULATION PLAN: Feast of the Hunter's Moon

The following traffic circulation plan for the Feast of the Hunter's Moon that will be held from 8:00 A.M. to 6:00 P.M. on the 5th and 6th of October 2002 was submitted in writing by Tippecanoe County Historical Association Executive Director Kevin O'Brien.

- ♦ River Road is to be designated One Way East from CR 350 W to CR 300 W.
- ♦ CR 300 W is to be designated One Way North from River Road to Division Road.
- ♦ Division Road is to be designated One Way West to CR 350 W.
- ♦ CR 350 W is to be designated One Way South from Division Road to River Road.
- Commissioner Benson moved to approve the Traffic Circulation Plan for the Feast of the Hunter's Moon, seconded by Commissioner Knochel; motion carried.

GRANTS OF RIGHT OF WAY: By Parcelization

- Key #112-01300-0143:** 30' ½ width R-O-W of CR 200 N; A part of the NE ¼ of Sec 13, Twp 23 N, R 3 W, Perry Twp. from Tara & Maureen Grady.
- Key #112-01100-0497:** 30' ½ width R-O-W of CR 950 E; A part of the SW ¼, Sec 11, Twp 23N, R 3 W, 2nd P.M., Perry Twp. from Joseph E. Rogers.
- Key #118-00100-0062:** 30' R-O-W west of center line of CR 1050 E; A part of the SW ¼, Sec 1, Twp 22 N, R 3 W, 2nd P.M., Sheffield Twp. from Thomas P. & Jo Ann Rohr.
- Key #110-01100-0100:** 30' R-O-W west of center line of CR 1000 E; A part of the SE ¼, Sec 11, Twp 21 N, R 3 W, 2nd P.M., Lauramie Twp. from Chad M. & Kathleen Taylor Hoey.
- Key #134-07100-0019:** 40.01' R-O-W east of center line of CR 300 W; Part of the NW ¼ of Sec 14, Twp 23 N, R 5 W, Wabash Twp. from Edwin L. Swanson, William A. Swanson, Mary Lou Thompson, & Beth A Purkhiser.

- Commissioner Benson moved to accept the Grants of Right-of-Way as presented, seconded by Commissioner Knochel; motion carried.

MAINTENANCE BONDS: Milestone Contractors, L.P.

- Commissioner Benson moved to accept 3 year Maintenance Bond #400SR3956 for Milestone Contractors, L.P. in the amount of \$5,000 for an entrance road and culvert for Creekside SD off SR 26 E and 3 year Maintenance Bond #400SR3855 for Milestone Contractors, L.P. in the amount of \$4,620 for a road cut on Eisenhower Rd. for Julius Springs, seconded by Commissioner Knochel; motion carried.

CERTIFICATES OF INSURANCE

- ♦ Cincinnati Insurance Co, Cincinnati Casualty Company for Superior Structures Inc
- ♦ St Paul Fire and Marine Ins Co, Zurich American Ins. Company, National Union Fire Ins Co PA for Milestone Contractors, L.P.
- ♦ Zurich, AmComp for Cement Construction Company, Inc, Lafayette Pressure Seal
- ♦ Citizens Insurance Company, Equity Insurance Managers, Inc for Cripe Mobile Home Transporters, R S

Cripe

- ♦ Cincinnati Insurance Co, Cincinnati Casualty Company for Balensiefer Builders
- ♦ Auto Owners Insurance Co, Northland Ins Co, Accident Fund (AR) for BJ Young Inc, Superior Transit

QUOTE AWARDED

After examination of the figures, Mr. Albers determined that Chemi-trol Chemical Co. did indeed have the low quote.

- Commissioner Benson moved to award the Striping Quote to Chemi-trol Chemical Co., seconded by Commissioner Knochel; motion carried.

JAIL EXPANSION UPDATE: Kettelhut Representative Steve Habben

Holding area:	Finish work consisting of painting, flooring, and ceilings is being completed
Site:	The final coat of asphalt will be applied this week
Security:	Locks and security systems are currently being installed
Move:	The targeted move date into the Holding area is October which will be three to four weeks earlier than expected. The renovation of the existing jail will begin after this move.
New cell pod:	Interior and exterior masonry work is expected to be completed in approximately six weeks. The mechanical and electrical systems are being installed.
Reroofing:	Completion of reproofing for the existing jail is scheduled for this week. This will complete the roofing for the entire complex.

President Knochel noted that Commissioners from Carroll and Fountain Counties have visited the construction site and Montgomery County is also interested in scheduling a visit.

ORDINANCE 2002-32-CM: Z-2076, Mann Properties (Benjamin Crossing PD) A to PDRS

- Commissioner Benson moved to hear and approve Ordinance 2002-32-CM, seconded by Commissioner Knochel.

(quote)

July 18, 2002
Ref. No: 02-420

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

Attn: Tippecanoe County Auditor

CERTIFICATION

RE: Z-2076-MANN PROPERTIES (BENJAMIN CROSSING PD)
(A TO PDRS): Petitioner is requesting the rezoning of 160.57 acres at the northeast corner of Concord Road and CR 450 S, Wea 15 (NE) 22-4, for 630 mixed-density detached single-family homes, with common areas and 2 outlots.

Dear County Commissioners:

As Secretary Pro Tempore to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on July 17, 2002, the Area Plan Commission of Tippecanoe County voted 10 yes - 0 no to

APPROVE the motion to rezone the subject real estate from A to PDRS. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment. Approval is contingent on meeting all requirements of UZO 2-27-10 for submission of Final Detailed Plans, signed off by those noted in that section, to include:

1. All sheets (other than the preliminary plat) that make up the approved Preliminary Plan,
2. A final plat, per UZO Appendix B-3-2 as applicable, submitted either with Final Detailed Plans or separately, with approved street names, with cross-access easements identified where alleys are to be situated, and with Tree Preservation Areas clearly marked, together with surety for public improvements (streets and the extension of public utilities) and improvements for common usage (all landscaping and recreational facilities within common areas); and
3. Written backup for the final plat in the form of additional covenants including both a "no vehicular access" statement irrevocable by homeowners, and a requirement, also irrevocable by homeowners, that cross-access easements for alleys will be kept open and maintained by those lot owners whose properties are crossed by these easements.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their August 5, 2002 regular meeting.

Sincerely,
/s/James D. Hawley
Executive Director

ORDINANCE NO. 2002-32-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,
INDIANA, TO REZONE CERTAIN REAL ESTATE,
FROM "A" TO "PDRS".**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
TIPPECANOE, INDIANA:**

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code, is hereby amended to rezone the following described real estate situated in Wea Township, Tippecanoe County, Indiana, to wit:

The Northeast Quarter of Section 15, Township 22 North, Range 4 West, Wea Township, Tippecanoe County, Indiana, also described as follows:

Beginning at the northeast corner of said quarter section, said corner being marked by an engraved stone; thence South 0 degrees 56 minutes 12 seconds East (bearings based on NAD83(86) data published by the Tippecanoe County Surveyor's Office) along the east line of said quarter section a distance of 2649.49 feet to the southeast corner of said quarter section, said corner being marked by a Berntsen A1NB monument; thence South 89 degrees 29 minutes 09 seconds West along the south line of said quarter section a distance of 2636.34 feet to the southwest corner of said quarter section, said corner being marked by a PK nail; thence North 0 degrees 57 minutes 19 seconds West along the west line of said quarter section a distance of 2656.07 feet to the northwest corner of said quarter section, said corner being marked by a Berntsen A1NB monument; thence North 89 degrees 37 minutes 43 seconds East along the north line of said quarter section a distance of 2637.25 feet to the point of beginning, containing 160.57 acres, more or less.

Section 2. The real estate described above should be and the same is hereby rezoned from "A" to "PDRS".

Section 3. The ordinance shall be in full force and effect from and after its passage.

(Adopted and passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this_____

day of _____, 2002.

VOTE:

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor

(unquote)

Representing the petitioner, Attorney Joe Bumbleburg requested a zoning change from A to PDRS for approximately 160 acres bordered by Concord Road and CR 450 S for 630 mixed-density detached single-family homes. He said this is a growth area with already approved rezones of R1 to the west, R1 to the southwest, R1B to the northwest, and R2, R3, and GB beyond. This development will have city water and sewer, on-site detention, green space, and playgrounds. All houses will have rear garage entrances via alleys and a traffic round-about. Buffers will be built along the roads as a sound barrier and for visual interest.

Highway Executive Director Albers expressed concern that a development of this size will be built along CR 450 S, a gravel road. Although this road is due to be chipped and sealed this summer, he said that type of paving won't stand up to heavy construction traffic. Mr. Albers also said the County doesn't have the resources to meet the timely needs of this development with a paved road.

A representative of Mann Properties explained that the entrance onto CR 450 S will be for Phase 2 of the development. He is aware that the Subdivision Ordinance requires the developer to pave the half width of the road the length of the development, but he said they are willing to pave the full width of the road half the length of the development which will include their entrance. Mr. Albers agreed that there is a workable solution.

Auditor Plantenga recorded the vote:

John Knochel	Yes
KD Benson	Yes
Ruth Shedd	Absent

- The motion to approve Ordinance 2002-32-CM passed 2 – 0.

CARY HOME: Director Rebecca Humphrey**POSITION REQUEST: Substance Abuse Counselor**

Ms Humphrey requested approval of a full time Substance Abuse Counselor for the remainder of 2002 and all of 2003 who will be paid from Court Services User Fees. This person's workload will be evenly split between Cary Home and Court Services. She explained that the Commissioners approved this position from June 1 through July 31, 2002 on a trial basis and it was paid by available Adolescent Care Specialist funds. She said testing of participants at the end of the trial program showed positive results.

- Commissioner Benson moved to approve the full time Substance Abuse Counselor position that will be funded by Court Services User Fees, seconded by Commissioner Knochel; motion carried.

COURT SERVICES: Director Cindy Houseman

Mrs. Houseman requested the creation of an additional Case Manager for the remainder of 2002 and 2003 to reduce caseloads to a manageable amount.

President Knochel advised Mrs. Houseman that, since she was not on today's Agenda and the Commissioners have no paper work, she should submit her request for the next Commissioners' on Monday, August 19, 2002 at 5:00 P.M.

CARY HOME resumed**2001 ANNUAL REPORT**

- * 2,005 juveniles with an average age of 14.4 were served.
- * 91.7% success rate (discharged to less restrictive placements)
- * 8 runaways
- * 5 restraints
- * 21 juveniles served by JAMS
- * Therapists conducted 565 therapy sessions, attended 100 court hearings, and held 36 case conferences
- * 48 parents participated in Education and Support Group Sessions
- * 84 juveniles participated in tutoring (increased grades and school attendance while at Cary Home)
- * \$49,465.63 received in grants (most for JAMS)

AGREEMENT FOR COLLECTION SERVICES: Treasurer Oneta Tolle

Mrs. Tolle requested approval of the Agreement with Atlas Collections, Inc. to collect Personal Property Tax Judgment accounts. Their fee, 35% of the total amount owed, is added to the judgment amount and is paid by the taxpayer. Of counties having agreements with Atlas, she contacted Hendricks, Miami, Wayne, and Howard counties. She received favorable reports from all except Howard County who was dissatisfied with their service the past two years.

- Commissioner Benson moved to approve the Agreement with Atlas Collections, Inc. for Collection Services, seconded by Commissioner Knochel; motion carried.

ORDINANCE 2002-24-CM: Revised Drainage Ordinance: Second Reading: Surveyor Steve Murray

Note: Ordinance 2002-24-CM was passed on first reading and appears in its entirety in the minutes of the June 17, 2002 Commissioners' Meeting. A proposed amendment was offered and appears in the July 15, 2002 Commissioners' Minutes. Due to an objection by Pat Cunningham, a Surveyor, at the July 15, 2002 meeting, the vote on second reading was continued until the matter could be resolved. Mr. Murray stated that Mr. Cunningham's objection has been rectified.

- Commissioner Benson moved to approve Ordinance 2002-24-CM on second reading, seconded by Commissioner Knochel.

Auditor Plantenga recorded the vote:

KD Benson	Yes
John Knochel	Yes
Ruth Shedd	Absent

- The motion to approve Ordinance 2002-24-CM on second reading passed 2 – 0.

ORDINANCE 2002-25-CM: Requiring & Establishing Standards for Digital Submission of Geographic Data: First Reading: Surveyor Steve Murray, GIS Administrator Khalid Hasan

Attorney Masson read a portion of the Ordinance:

(quote)

ORDINANCE NO. 2002-25-CM

**AN ORDINANCE REQUIRING AND ESTABLISHING
STANDARDS FOR DIGITAL SUBMISSION OF GEOGRAPHIC DATA**

WHEREAS, the Indiana General Assembly, pursuant to I.C. 36-1-3-1 et. seq. has stated that it is the policy of the State of Indiana to grant counties the power that they need for the effective operation of government as to local affairs; and

WHEREAS, the Tippecanoe County Management Information Technology Services Department maintains Geographic Information Systems mapping data (hereinafter “GIS Data”) with respect to certain land use information submitted to various departments of Tippecanoe County and submitted for recording in the office of Recorder of Tippecanoe County, including, without limitation thereby subdivision final plats, planned development final plats, parcelizations, easements and surveys as required by Indiana Administrative Code Rule 12, all for the use of the various county offices, commissions and departments and the general public; and

WHEREAS, The maintenance of the GIS Data in an efficient and accurate manner requires the establishment of uniform standards for the digital submission of such data; and

WHEREAS, the Board of Commissioners of Tippecanoe County desire to establish such uniform standards and require compliance therewith as a condition of acceptance and approval of surveys and other geographic information documents submitted to the various departments, offices and commissions of Tippecanoe County.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA:

1. The Digital Data Submission Standards for Tippecanoe County as more fully set forth on Exhibit A, attached hereto and by reference made a part hereof, are hereby adopted as the uniform standards for the submission of such information to the various departments, offices and commissions of Tippecanoe County, Indiana.

2. As a condition of acceptance and prior to approval thereof, by the various departments, offices and commissions of Tippecanoe County, including, without limitation thereby the Surveyor’s Office, Auditor, Drainage Board, Highway Department, Area Plan Commission, and Building Commissioner, all geographic information documents submitted to such offices, departments and commissions shall comply with the standards set forth on Exhibits A, B and C attached hereto.

3. This Ordinance shall be effective on the _____ day of _____, 2002.

PASSED AND ADOPTED this _____ day of _____, 2002.

BOARD OF COMMISSIONERS
OF TIPPECANOE COUNTY

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor
of Tippecanoe County

Vote First Reading Yes No
Knochel
Benson
Shedd

Vote Second Reading Yes No
Knochel
Benson
Shedd

Robert A. Plantenga hereby certifies that the above ordinance was passed unanimously by a roll call vote of _____ on both first reading on the _____ day of _____, 2002, and on second reading on the _____ day of _____, 2002.

Robert A. Plantenga, Auditor
of Tippecanoe County, Indiana

EXHIBIT A
TIPPECANOE COUNTY DIGITAL SUBMISSION STANDARDS

1. Geographic Information Documents (GID) means all documents submitted for approval or recording which graphically depict geographical information, including without limitation thereby, subdivision final plats, planned development final plats, parcelizations, easements (drainage, utility, road right-of-way, grants, fee simple, egress and ingress), and surveys as required by IAC Rule 12.
2. All Geographic Information Documents shall be submitted digitally, as well as in hard copy.
3. A full digital drawing plan is required. This file shall contain all graphic and text elements in standard format element types or fonts that can be read without third party software.
4. Digital data shall be mapped to real world units using horizontal control of North American Datum 1983 (NAD83) and vertical control of North American Vertical Datum 1988 (NAVD88), using Indiana State Plane Coordinate System, West Zone, expressed in U.S. Survey Feet.
5.
 - A. This data should also be tied to at least two points of geodetic controls in the county such as county section corners and quarter section corners for spatial reference. State Plane coordinates exist for most quarter section corners in Tippecanoe County. Control assistance can be obtained from the Tippecanoe County Surveyor's Office. It is a requirement that the controls used be referenced and shown in the plan drawing.

Any other reference ties should also be symbolically annotated and indicated in the design file.

B. Any land survey information, such as basis of bearings and or any assumptions shall be submitted and annotated on the design file. This information is necessary for any digital post processing.

6. All base maps regardless of scale shall meet the standards defined in the United States National Map Accuracy Standards (NMAS), or the person submitting the data must provide the department with an explanation of why it is appropriate to deviate from the NMAS. However, post processed or corrected GPS coordinates or an appropriate survey standard is acceptable. The standards used shall be documented.

7. A digital copy of Tippecanoe County's design file, example layers and list of data definitions is available to be picked up from the County's GIS Department. This is attached herein as exhibit B.

8. If the party submitting the GID cannot use the layer scheme specified by the Tippecanoe County GIS Department, a complete list of layer names and associated descriptions of all delivered layers must accompany the digital file.

9. In the event the submitted GID file is not compatible with the County GIS, the submitting party must work with the County departments until the file is acceptable to the county GIS.

10. A digital file that accompanies the hard copy of a GID shall be delivered in one of the formats set forth in Table A1.

11. Digital files shall be submitted on one of the media types as shown in Table A2.

12. Digital files shall be labeled in a manner substantially conforming to the format set forth in Table A3.

13. The submission of metadata, i.e. data about the data, is highly recommended and is also very useful for evaluating data accuracy and acceptability. This information will be critical for the GIS department to ensure rapid accurate incorporation of the maps and data in the Department's GIS layers. The suggested metadata template; Indiana GIS Metadata Profile is attached as exhibit C.

Table A1 Acceptable File Formats

*.DXF	ASCII Drawing Exchange File
*.DGN	Microstation J Design File
*.DWG	AutoCAD Drawing File

Table A2 Acceptable Media Types

3.5" floppy diskette
CD ROM
lomega zip disk (=<100mb)
Electronic file transfer via Email or FTP

Table A3 Blank Label for Media

FILE/S:
 FORMAT:
 DATE:
 COMPANY:
 REG NO.:
 SIGNATURE:

EXHIBIT B

Tippecanoe County GIS Data Definitions and Standards

The Tippecanoe County GIS project is currently working on Bentley MicroStation GeoGraphics GIS software environment for graphic display and spatial analysis. The GIS model defines topology, assigns appropriate attribution, and customizes feature codes, including all map elements to be compiled. To expedite this process Tippecanoe County would like the existing data definitions and standards to be used for compiling features.

Data Standards and Definitions:

The information about feature descriptions and graphic parameters is divided into categories. The following categories have been created for Tippecanoe County. These current GIS layers may exist for any submittal in digital format.

Category Feature: Control

Category Feature: Drains

Category Feature: Hydrology

Category Feature: Parcel

Category Feature: Soils

Category Feature: Transportation

Category Feature: Topography

Category Feature: Zoning

For each category, a graphic database table is included with the following columns:

- * Feature lists the feature name.
- * Level is the MicroStation level number (from 1 to 63).
- * Color is the color number for display.
- * Style is the line type for display.
- * Weight is the line thickness for display.
- * Cell/font is the cell name that resides in the cell library (for a symbol) or the font name (for text).
- * Size is the text height and width in drawing units.
- * Space is the text offset (the distance between a line and its text) and the spacing between lines of text.

Tile Drain Text	21	3	0	2	1	10	5
Urban Drain	22	3	0	5			
Urban Drain Text	23	3	0	2	1	10	5

Table 6 Graphic Database for Hydrology

Feature	Level	Color	Style	Weight	Cell/Font	Size	Space
Concrete Dam, Spillway	25	0	0	0			
Culvert	17	1	0	0			
Drainage Ditch Paved	27	0	0	0			
Drainage Ditch Unpaved	28	0	0	0			
Headwall	17	0	0	2			
Marsh, Swamp	13	7	0	0	DR_SWP	as=1	
River/Lake	11	7	rvrstm	1			
Stream	12	7	rvrstm	0			
Water Feature Text	18	7	0	1	23	10	5
Water Elevation Text	20	0	0	0	23	8	4

Vacated ROW Line	10	71	2	2			
Vacated ROW Text	11	71	0	1	3	8	4

Table 8 Graphic Database for Soils

Feature	Level	Color	Style	Weight	Cell/Font	Size	Space
Soil Area	5	0	0	0			
Soil Boundary Line	1	22	0	1			
Soil Centroid	3	22	0	1			
Soil Label	2	22	0	1	1	40	20

Table 9 Graphic Database for Transportation

Feature	Level	Color	Style	Weight	Cell/Font	Size	Space
Airfield Line	31	0	0	1			
Airfield Text	32	0	0	1	1	10	5
Bridge, Overpass	8	4	0	2			
Railroad Abandoned	10	101	gisstr2	1			
Railroad Abandoned Text	10	0	0	1	1	10	5
Railroad Active	9	5	{Rail Road}	1			
Railroad Active Text	9	5	0	1	1	10	5
Roadway Centerline	6	18	7	1			
Roadway Pavement Edge	8	136	0	1			
Roadway Text	7	4	0	1	0	10	5
Roadway Unpaved	8	120	3	1			
Weather Station	40	4	0	1	WTHR	as=1	

Table 10 Graphic Database for Topography

Feature	Level	Color	Style	Weight	Cell/Font	Size	Space
3D Breakline	27	0	0	0			
DTM Spot Elevation	26	0	0	0	TO_SPT	as=1	
Index Contour	24	0	0	1			
Index Contour Depression	24	0	DEP	1			
Index Contour Hidden	24	0	3	1			
Index Contour Hidden Depression	24	0	HDEP	1			
Index Contour Text	22	0	0	0	23	8	Online
Intermediate Contour	23	0	0	0			
Intermediate Contour Depression	23	0	DEP	0			
Intermediate Contour Hidden	23	0	3	0			
Intermediate Contour Hidden Depression	23	0	HDEP	0			
Spot Elevation	26	0	0	0	TO_SPT	as=1	
Spot Elevation Text	25	0	0	0	23	8	4

Table 11 Graphic Database for Zoning

Feature	Level	Color	Style	Weight	Cell/Font	Size	Space
Zoning Area	52	0	0	0			
Zoning Boundary Line	12	6	0	2			
Zoning Centroid	51	0	0	1			
Zoning Label	1	0	0	1	42	200	100

Category Feature Description: Control

* GPS Points. These points represent the location for a permanently monumented GPS observation point.

* GPS Point Text. This text identifies the point number and the elevation of the point.

* Horizontal Control Point. These points represent the location of a monument survey point used for horizontal aerial photography control.

- * Horizontal Control Point Text. This text identifies the point number.
- * Horizontal/Vertical Control Point. These points represent a survey point used for both horizontal and vertical aerial photography control.
- * Horizontal/Vertical Control Point Text. This text identifies the point number and the elevation of the point.
- * Public Land Survey System (PLSS) Section Corner.
- * PLSS Section Corner Text.
- * PLSS Section Line.
- * PLSS Section Number.
- * PLSS Section Polygon.
- * Vertical Control Point. These points represent the location of a monument survey point used for vertical aerial photography control.
- * Vertical Control Point Text. This text identifies the point number and points elevation.

Category Feature Description: Drains

- * Buffer Zone. This line represents a 75-foot buffer area on each side of the drain.
- * Drain Shed. This line represents the high side of an area where water flows to specific drains.
- * Drain Shed Text. This text represents the name of the drain shed.
- * Open Drain. The open drain feature includes all regulated open waterways, creeks, streams, and ditches and will be graphically represented as the centerline of the feature.
- * Open Drain Text. The text represents the name of the open drain.
- * Subsurface Drain. The subsurface drain feature represents drain tile that underlays the curb of new developments. This tile is connected sporadically to the urban drains at subsurface drain risers or curb inlets.
- * Subsurface Drain Text. The text represents the name of the subsurface drain.
- * Tile Drain Line. The tile drain feature represents rural drainpipes that are part of a regulated drain.
- * Tile Drain Text. The text represents the name of the tile drain.
- * Urban Drain. The urban drain feature represents the drainpipes that make up the storm sewer system of an urban or suburban development.
- * Urban Drain Text. The text represents the name of the urban drain.

Category Feature Description: Hydrology

- * Concrete Dam, Spillway. This feature represents the pavement perimeter of large concrete dams and spillways.
- * Culvert. The culvert cell represents the ends of drainage pipes, as seen on the aerial photography, where no head walls or end walls are apparent.
- * Drainage Ditch Paved. The drainage ditch defines the edges of paved drainage areas. These include open

drainage ditches and large aprons around drainage structures, such as catch basins and retention basins.

- * Drainage Ditch Unpaved. The drainage ditch lines represent the natural flow of storm water. This includes small streams as well as grassy swells.
- * Headwall. Headwalls and end walls are represented with this feature.
- * Marsh, Swamp. This cell is placed consistently within low areas that may hold water.
- * Stream, River, Lake. The drainage feature will be captured photogrammetrically and will represent all rivers, streams, creeks and drainage ditches.
- * Water Feature Text. This text is placed parallel to and adjacent to each hydrology feature to indicate its name.
- * Water Elevation Text. This text represents the elevation of water bodies and is placed in the center of the water body.

Category Feature Description: Parcel

- * Bldg Setback Line.
- * Bldg Setback Text.
- * Corporate Boundary. The corporate boundary defines the perimeter of each incorporated jurisdiction in the county. To be complete this feature must be displayed with the political township and county boundaries.
- * Corporate Boundary Text. The corporate boundary label represents the political jurisdictions and will be placed parallel to and adjacent to the corporate boundary. This text will be all caps and spelled out.
- * County Line. The county line represents the limits of the county and this project.
- * County Line Text. The county line label will be placed parallel and adjacent to the county boundary. This text will be all caps and spelled out completely.
- * Easement. The ingress/egress easement lines represent the limits of private ingress/egress easements and will appear inside the boundaries of private property. This feature must be displayed with right-of-way lines and parcel lines to be complete.
- * Easement Text. The easement text feature identifies the ingress/egress easements. This text will be in the visual center of the easement.
- * Landhook Full/Half. The landhook symbol is used to indicate common ownership of parcels separated by a roadway, river, railroad, or another parcel. This symbol resembles the number 7 and is placed at opposite sides of a feature that divides the parcel.
- * Landuse Area.
- * Map Polygon.
- * Miscellaneous Text (large/small). The miscellaneous label will label such areas as cemeteries, parks, schools, and so on. This text will be placed at an angle of zero and in the visual center of the parcel.
- * Original Lot/Tract Line. The original lot/tract line defines the location of an original subdivision lot line, according to a tract line remaining as a result of a parcel combination. This line does not define ownership boundaries. It shows the history of a parcel and its associated platted information.
- * Parcel Acreage Text. This parcel acreage text feature represents the size of a tract parcel as it is recorded in the

county records. In the case of small parcels the acreage will be placed outside and adjacent to the parcel as a note.

- * Parcel Centroid. The parcel centroid feature maintains the link between graphic and non-graphic data. This feature is actually a zero length line to which the database is linked. It will reside in the geographic center of each parcel.

- * Parcel Dimension Leader Line. The leader line will be used in congested areas where text elements will not fit. The text will be placed in an open area and the leader will point to the element or area that it represents.

- * Parcel Dimension Text. The parcel dimension text represents the distance, in feet, of ownership along a parcel feature. Depending on the origin of the data, dimensions may differ on opposite sides of the same line. This text will be placed parallel to and adjacent to the line that it defines. All of the lines will be labeled with the proper dimension.

- * Parcel Dimension Tic. The parcel dimension tic will be placed at the beginning and end of curved segments or other parcel vertices where it is difficult to see the point to where a dimension describes.

- * Parcel Id Label. The key number is the sole link between the county's tabular database and the geographic parcel. This text will be placed in the visual center of each parcel the parcel centroid will remain in the geographic center of the parcel.

- * Parcel Line. The parcel boundary defines the perimeter of each individual parcel. This feature - when combined with ROW lines, railroad ROW lines, and river/stream - will depict the entire parcel coverage.

- * Parcel Polygon.

- * Political Township Line. The political township line represents the boundary between each township in the county. The feature must be displayed with the corporate and county boundaries.

- * Political Township Text. The political township text will be placed parallel to and adjacent to the township boundary and be the names of the political jurisdictions separated by the political township line.

- * Prec Polygon.

- * Pz. Parcelization line.

- * Railroad ROW Line. The railroad ROW represents the limits of railroad. The feature will be an integral part of the parcel coverage and must be displayed with the other parcel features.

- * Reservation Boundary.

- * Reservation Boundary Text.

- * Right of Way Line. The ROW line represents the limits of street and roadways. This feature represents the limits of public access and will be complete when displayed alone.

- * Section Line. The section line defines the edge of a 1-mile section of land and must be displayed with the survey township lines to be complete.

- * Section Number. The text represents the associated section.

- * Subdivision Block Number.

- * Subdivision Boundary. The subdivision boundary represents the perimeter of each subdivision or plat. The limits of subdivision or plat will be complete when displayed alone.

- * Subdivision Leader Line.

- * Subdivision Lot Number. The subdivision lot number represents the lot number of a lot within a particular subdivision. The text will be placed parallel to the rear lot line.
- * Subdivision Name. The subdivision label will list the subdivision/plat name. It will be all caps and placed across the subdivision while not obscuring other parcel text.
- * Survey Township Line. The survey township line represents the 6 mile x 6 mile township grid as defined in the original land survey. Each grid cell contains 36 1-square mile sections of land. This feature will be completed when displayed alone.
- * Survey Township Text. The survey township text will be placed parallel to and adjacent to the survey township line. Each survey township will be labeled with its name.
- * Vacated ROW Line. The vacate ROW line represents the past existence of a public ROW that has reverted back to private ownership. This feature will be complete when displaying with the ROW and parcel boundaries.
- * Vacated ROW Text. The vacated ROW text will contain any pertinent information concerning the vacation of the particular ROW. It will be placed parallel to and inside of the vacated ROW.

Category Feature Description: Soils

- * Soil Area. The soil area is the polygon of each soil type.
- * Soil Boundary Line. The soil boundary line will define the areas of varying soil type.
- * Soil Centroid. The soil centroid will be located within each polygon and be the linkage to the non-graphic soil type.
- * Soil Label. The soil label will be placed inside each soil area to designate the area's particular soil type.

Category Feature Description: Transportation

- * Airfield Line. The airfield line represents runways, parking aprons and taxiways.
- * Airfield Text. The airfield text represents the name of the airfields. All named airfields will be labeled.
- * Bridge/Overpasses. A bridge/overpass will be represented as a closed polygon defining the limits of the bridge. This feature will define all bridges and overpasses attached to public roadways regardless of whether they span drainage features or other roadways.
- * Railroad (Abandoned). The railroad (abandoned) will represent a visible railroad that appears to have been abandoned or the remnants of where the tracks have been removed.
- * Railroad (Abandoned) Text. The railroad (abandoned) text represents the name of the railroad and will be placed on all railroad (abandoned) features.
- * Railroad (Active). The railroad (active) will represent all railroads that appear to be active. The feature will represent the centerline of the track.
- * Railroad (Active) Text. The railroad (active) text represents the railroad name and will be placed on all railroad (active) features.
- * Roadway Centerline. The roadway centerline of each traveled roadway will be digitized along the visual centerline of the pavement.
- * Roadway Pavement Edge. The roadway pavement edge feature represents the edges of all public roadways, including curbs and pavement edges. This feature will be complete when displayed with the bridges and

overpasses.

- * Road Text. The roadway text represents the name of roadways and will placed on all named roads.

- * Roadway Unpaved.

- * Weather Station. This feature represents the weather spotters' stations within the County.

Category Feature Description: Topography

- * 3D breakline. The 3D breakline feature is placed by photogrammetric means along noticeable changes in terrain such as top slope, the centerline of a ditch, a road edge, and so on. This feature is not intended for graphic display.

- * DTM Spot Elevation. The DTM spot elevation is a specific elevation within the DTM. They are used in conjunction with 3D breaklines to generate contours and other volumetric calculations. This feature is not intended for graphic display.

- * Index Contour. The index contour feature represents terrain elevations at an interval of ten feet and will be compiled to meet NMAS. The contours will be continuous throughout, not broken or clipped for any reason or along any feature, such as buildings, bridges, retaining walls, and so on.

- * Index Contour Depression. The index depression contour features will be used to define low areas that may hold water or be prone to flooding.

- * Index Contour Hidden. The hidden index contour feature is as listed above and will be displayed in areas of dense ground cover where the ground may not be seen, rendering the contours not as accurate.

- * Index Contour Hidden Depression. The hidden index depression contour will be used when both of the previously stated conditions occur.

- * Index Contour Text. The index contour text will be placed consistently throughout the file to indicate the elevation of the particular contour. This feature will be vertically centered on the line and parallel to the line it represents.

- * Intermediate Contour. The intermediate contour represents terrain elevations at an interval of two feet and will be compiled to meet NMAS. The contours will be continuous throughout, not broken or clipped for any reason or along any feature, such as buildings, bridges, retaining walls, and so on.

- * Intermediate Contour Depression. The intermediate depression contour feature will be used to define low areas that may hold water or be prone to flooding.

- * Intermediate Contour Hidden. The hidden intermediate contour is as listed above and will be displayed in areas of dense ground cover where the ground may not be seen, rendering the contour not as accurate.

- * Intermediate Contour Hidden Depression. The hidden intermediate depression contour feature will be used when both of the previously stated conditions occur.

- * Spot Elevation. A spot elevation symbol, with associated text, will be placed randomly to supplement the contours in the definition of the shape and slope of the terrain.

- * Spot Elevation Text.

Category Feature Description: Zoning

- * Zoning Area. The zoning are represents the polygon containing each zone classification.

- * Zoning Boundary Line. This line feature represents the limits of the zones that will be digitized from existing source documents.
- * Zoning Centroid. The zoning centroid will be located within each polygon and be linked to the non-graphic database.
- * Zoning Label. This zoning label will be placed inside each zone area to designate that areas particular zone classification.

EXHIBIT C

Indiana GIS Metadata Profile (for FGDC Minimally Compliant Metadata)

© DON'T BE OVERWHELMED BY THIS WORKSHEET: The point is to get you started with documenting your data set.

© THIS WORKSHEET REPRESENTS SOME BARE-BONES INFORMATION needed to produce a sharable/searchable/retrievable metadata catalog entry. If you wish to document more information about your data set(s), please make a note of it – I can almost guarantee there's a place for it in the fully-compliant metadata.

© THIS IS ONLY A WORKSHEET: the information you provide here can be transferred to an FGDC computer format at a later date.

© THE INDIANA GEOGRAPHIC INFORMATION COUNCIL RECOMMENDS FULLY COMPLIANT METADATA in accordance to the FGDC Content Standard for Digital Geospatial Metadata. The Indiana GIS Metadata Profile provides guidance for users who cannot otherwise develop fully compliant metadata. For more examples, you can preview the Indiana GIS Initiative Metadata Tool Kit (www.state.in.us/ingisi) and for instructions on completing fully compliant metadata. Contact The Polis Center at IUPUI regarding training opportunities 317-274-8400.

<i>Name of an organization or individual that developed the data set</i>	
8.1 Originator of the data set: <input type="checkbox"/> Unknown or _____	
<i>Free date</i>	
8.2 Publication Date: <input type="checkbox"/> Unknown <input type="checkbox"/> Unpublished or _____	
<i>The name by which the data set is known</i>	
8.4 Title: _____	
8.6 Geodata Presentation Form: <input type="checkbox"/> Atlas <input type="checkbox"/> Audio <input type="checkbox"/> Database <input type="checkbox"/> Diagram <input type="checkbox"/> Document <input type="checkbox"/> Globe <input type="checkbox"/> Graph <input type="checkbox"/> Image <input type="checkbox"/> Map <input type="checkbox"/> Model <input type="checkbox"/> Multimedia presentation <input type="checkbox"/> Profile <input type="checkbox"/> Remote-sensing image <input type="checkbox"/> Section <input type="checkbox"/> Spreadsheet <input type="checkbox"/> Table <input type="checkbox"/> Video <input type="checkbox"/> View <input type="checkbox"/> Other _____	
<i>Use a URL to hyperlink to a data set for Internet download, or link to your organizations web page, if applicable</i>	
8.7 Online linkage: _____	
<i>A brief narrative summary of the data set</i>	
1.2.1 Abstract: _____	
<i>A summary of the intentions with which the data set was developed</i>	
1.2.2 Purpose: <input type="checkbox"/> Not Applicable <input type="checkbox"/> Unknown or _____	
<i>Single date/time OR multiple dates/times OR range of dates/times</i>	
1.3 Time period of content: _____	1.4.1 Progress: <input type="checkbox"/> Complete <input type="checkbox"/> In work <input type="checkbox"/> Planned
<i>"Ground condition" is used for primary data sources such as air photos, field collected data and remote sensing; "Publication date" is used for secondary sources of data</i>	
1.3.1 Currency of the data: <input type="checkbox"/> Ground Condition <input type="checkbox"/> Publication Date	
1.4.2 Maintenance and update frequency: <input type="checkbox"/> Continually <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually <input type="checkbox"/> Unknown <input type="checkbox"/> As Needed <input type="checkbox"/> Irregular <input type="checkbox"/> None Planned	
1.5 Spatial extent of the data set: <i>Expressed by latitude and longitude values</i> West Bounding Coordinate _____ or <input type="checkbox"/> <u>-88.25</u> <small>-180.0 ≤ West Bounding Coordinate < 180.0 Indiana</small> East Bounding Coordinate _____ or <input type="checkbox"/> <u>-84.56</u> <small>-180.0 ≤ East Bounding Coordinate ≤ 180.0 Indiana</small> North Bounding Coordinate _____ or <input type="checkbox"/> <u>41.92</u> <small>-90.0 ≤ North Bounding Coordinate ≤ 90.0 Indiana</small> South Bounding Coordinate _____ or <input type="checkbox"/> <u>37.59</u> <small>-90.0 ≤ South Bounding Coordinate ≤ 90.0 Indiana</small>	1.6.1.1 Theme keyword thesaurus: <input type="checkbox"/> None or _____ 1.6.1.2 Theme keywords: _____ _____ _____
<i>Restrictions and legal prerequisites for accessing the data set. These include any access constraints applied to assure the protection of privacy or intellectual property, and any special restrictions or limitations on obtaining the data set.</i>	
1.7 Access Constraints: <input type="checkbox"/> None or _____	

<i>Restrictions and legal prerequisites for using the data set after access is granted. These include any access constraints applied to assure the protection of privacy or intellectual property, and any special restrictions or limitations on obtaining the data set.</i> 1.8 Use Constraints: <input type="checkbox"/> None or _____			
<i>The denominator of the representative fraction on a map (for example, on a 1:24,000-scale map, the Source Scale Denominator is 24000)</i> 2.5.1.2 Source Scale: <input type="checkbox"/> Not Applicable <input type="checkbox"/> Unknown <input type="checkbox"/> 1: _____		<i>The estimate of the accuracy of the horizontal coordinate measurements expressed in (ground) meters</i> 2.3.1.2.1 Horizontal Positional Accuracy Value: <input type="checkbox"/> Not Applicable <input type="checkbox"/> Unknown <input type="checkbox"/> _____	
4.1.4.1 Horizontal Datum Name: <input type="checkbox"/> Not Applicable <input type="checkbox"/> Unknown <input type="checkbox"/> North American Datum of 1927 (NAD27) <input type="checkbox"/> North American Datum of 1983 (NAD83)		4.2.1.1 Altitude Datum Name: <input type="checkbox"/> Not Applicable <input type="checkbox"/> Unknown <input type="checkbox"/> National Geodetic Vertical Datum of 1929 (NAV29) <input type="checkbox"/> National Geodetic Vertical Datum of 1988 (NAD88)	
<i>For maps, what map projection or grid coordinate system are you using?</i> 4.1.1.1 Map Projection Name: _____			
5.1.1.1 Entity Type: <input type="checkbox"/> Point <input type="checkbox"/> Line <input type="checkbox"/> Polygon <input type="checkbox"/> Raster <input type="checkbox"/> Route <input type="checkbox"/> Grid <input type="checkbox"/> Other _____			
<i>Contact person name AND/OR Organization</i> 6.1 Distributor:		<i>Position (if applicable)</i>	
<i>Street</i> _____		<i>City</i> _____	
<i>State</i> _____		<i>Zip code</i> _____	
<i>Phone</i> _____		<i>Fax (if applicable)</i> _____	
<i>E-mail (if applicable)</i> _____			
6.3 Distribution Liability: <input type="checkbox"/> None or _____			
<i>In what formats are the data available? The format version is important to the user (eg., ArcInfo v. 7.0.4 export). Note more information can be provided with more complete metadata.</i> 6.4.2.1.1 Digital Form -- Format Name: _____		<i>Are the data available for free or is there an associated cost?</i> 6.4.3 Fees: <input type="checkbox"/> None or _____	
<i>The date that the metadata were created or last updated</i> 7.1 Metadata Date: _____			
<i>Contact person name AND/OR Organization</i> 7.4 Metadata Contact:		<i>Position (if applicable)</i>	
<i>Street</i> _____		<i>City</i> _____	
<i>State</i> _____		<i>Zip code</i> _____	
<i>Phone</i> _____		<i>Fax (if applicable)</i> _____	
<i>E-mail (if applicable)</i> _____			
7.5 Metadata Standard: FGDC Content Standard for Digital Geospatial Metadata		7.6 Metadata Standard Version: 2.0	

(unquote)

Mr. Murray said passage of this Ordinance is an effort to keep property data up to date. He will consult with Area Plan Executive Director Jim Hawley to address his concern that this Ordinance should be included in the Subdivision Ordinance. Mr. Hasan said the formats will be flexible for the users.

Auditor Plantenga recorded the vote:

John Knochel	Yes
KD Benson	Yes
Ruth Shedd	Absent

- The motion to approve Ordinance 2002-25-CM on first reading passed 2 – 0.

ORDINANCE 2002-31-CM: Establishing Fees for Electronic Data Products & Services: First Reading: Surveyor Steve Murray, GIS Administrator Khalid Hasan

Attorney Masson read the Ordinance:

(quote)

ORDINANCE NO. 2002-31-CM

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS
OF TIPPECANOE COUNTY AND THE TIPPECANOE COUNTY COUNCIL ESTABLISHING FEES
FOR ELECTRONIC DATA PRODUCTS AND SERVICES; RESTRICTING COMMERCIAL
REPRODUCTION OF ELECTRONIC DATA; AND ESTABLISHING ELECTRONIC DATA FUND**

WHEREAS, the Board of Commissioners of Tippecanoe County is authorized to establish a fee for copies of electronic data by the provisions of Indiana Code 36-1-3-8(a)(6); and,

WHEREAS, Indiana Code 5-14-3-2 defines the "direct costs" that may be charged by a unit for providing a duplicate of electronically stored data onto a disk, tape, drum, or other medium of electronic data retrieval; and,

WHEREAS, Indiana Code 5-14-3-8(g) establishes a fee that a public agency may charge to copy and provide duplicate records and records maintained in electronic medium.

WHEREAS, Indiana Code 5-14-3 provides that the fiscal body shall adopt an Ordinance to establish a fund for the deposit and use of funds collected for duplication of electronic data; and,

WHEREAS, the Board of Commissioners of Tippecanoe County enacted Ordinance No. 98-55-CM, providing in part for the establishment of fees and charges for Geographic Information Products and Services;

WHEREAS, the Board of Commissioners of Tippecanoe County desires to amend Ordinance No. 98-55-CM as it relates to the fees and charges for electronic data products and services; and,

WHEREAS, it is in the best interests of the citizens of Tippecanoe County that both the Tippecanoe County Council and the Board of Commissioners of Tippecanoe County approve the terms of this Ordinance to conform with the terms of Indiana Code 5-14-3.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Tippecanoe County, Indiana, as follows:

1. That Ordinance No. 98-55-CM, as it relates to fees and charges for Geographical Information Services is hereby repealed, and there is hereby established a uniform schedule of charges and fees that the MITS Department shall charge for the provision of products and services to the general public for plots, data dissemination and data analysis.

2. Small Data Sales. Any data, which is contained in four or less contiguous land sections per request, shall be sold on a time and material basis. The fee for such data shall include the following for each data request.

- A) An initial charge of \$15.00 per request as the minimum contribution toward the County's cost of hardware, software, collection and maintenance of the electronic stored data.
- B) A charge of \$25.00 per hour to partially compensate the County for labor costs, including benefits, and overhead costs for storing and maintaining the data, rounded up to the nearest quarter hour.
- C) The following shall be charged for Inkjet Plotter Costs. These charges will be based on the width of the stock paper available at the department times the length used, and not the size of the original:

High Gloss White Film or Matte Film - \$ 3.00 per square foot

High Gloss Photo Paper - \$ 0.90 per square foot

Coated Paper or Heavy Coated Paper or Natural Tracing Paper - \$ 0.50 per square foot

D) Electronic data reproduced on laser, ink jet printing, or any other copies shall be sold as follows:

- 8 ½ x 11 - \$.50 per sheet per side
- 8 ½ x 14 - \$.50 per sheet per side
- 11 x 14 7/8 - \$1.00 per sheet one side
- 11 x 17 - \$1.00 per sheet one side
- 24 x 36 Xerox Prints - \$3.00
- 32 x 36 Xerox Prints - \$4.00

E) Copies of microfilmed documents maintained by the County. \$1.00

F) \$1.00 per floppy disk.

G) \$7.00 per blank CD.

The County's direct cost, rounded up to the next highest full dollar for any other medium.

3. Large Data Sales. All data requests for data from one square mile or more shall be charged as follows:

- A) \$45.00 per square mile, or part thereof, per each category of data, less than fifty (50) square miles.
- B) \$35.00 per square mile, or part thereof, per each category of data, from fifty (50) to less than one hundred (100) square miles.
- C) \$20.00 per square mile, or part thereof, per each category of data equal to or over one hundred (100) square miles.
- D) The charges in sections (A) to (C) above shall permit the purchaser of the data to updates of the data upon request, subject to availability, but no more frequently than once per calendar quarter.
- E) After the first year, any purchaser of data may receive updates, subject to availability, for the same data initially purchased for an annual charge of forty percent (40%) of the initial rate charged pursuant to Sections (A) to (C) above. After payment of the annual fee, the purchaser may receive the data upon request, but no more frequently than once per calendar year.
- F) If the purchaser does not purchase annual updates, his right to purchase updates of the data lapses unless he pays the charge set out in paragraph (E) for each year when the purchaser did not pay for updates, unless the purchaser elects to purchase the same data for the charges in Sections (A) to (C) above.

4. Reimbursement for Mailing Costs: (not including copy costs).

- A) Less than or equal to 4 oz. - \$.50 for envelope and postage;
- B) 1st Class Greater than 4 oz., and less than or equal to 2 lbs. = \$5.00;
- C) All Other = Cost plus \$5.00

5. Nothing herein shall be construed to require any employee of Tippecanoe County to provide information contained on or within a public document of an agency or department by telephone. Department heads and elected officials may, but are not required to take requests for documents by phone.

6. Payment for information under this Ordinance shall be made at the time of delivery. However, an office may agree to invoice a person for the charge if that person or company has promptly paid invoices in the past. Any person, or their designee, requesting data shall be liable for the total charges for the request. Any person, or their designee, who fails to pay the charges shall be liable for the charges, plus interest, attorney's fees, and costs of collection.

7. Nothing herein shall compel any office to charge a fee for copies if the fee imposed by this Ordinance is

contrary to state law. In the event the fees in this Ordinance are contrary to any charges established by State statute, the State statute shall apply.

8. Pursuant to the provisions of Indiana Code 5-14-3-3(e), no person other than those authorized by the County may reproduce, store, grant access, deliver, or sell any information obtained from any department or office of the County to any other person, partnership, or corporation. In addition, any person who receives information from the County shall not be permitted to use any mailing lists, addresses, or data bases for the purpose of selling, advertising, or soliciting the purchase of merchandise, goods, services, or to sell, loan, give away, or otherwise deliver the information obtained by the request to any other person.

9. A copy of paragraph 8 shall be conspicuously posted in all offices where electronic data is sold and the restriction contained in paragraph 8 shall be offered to any persons who obtain copies of any public information from the County.

10. Any person who violates the terms and conditions of this Ordinance by failing to pay or violating paragraph 8, shall be guilty of an infraction and may be fined up to Two Thousand Five Hundred Dollars (\$2,500). In the event there is a violation of paragraph 8, each violation shall be deemed a separate offense.

11. Pursuant to Indiana Code 5-14-3-8.3, the Tippecanoe County Council hereby establishes the Tippecanoe County Electronic Data Fund. All fees charged under this Ordinance shall be deposited in the fund. All funds in the Electronic Data Fund shall be used only for the purposes set out in Indiana Code 5-14-3-8.3 and shall be subject to appropriation by the Tippecanoe County Council.

12. Any unit of government within Tippecanoe County which has provided electronic data used by Tippecanoe County to create the electronic data covered by this Ordinance, shall receive copies of the data for that unit's exclusive use free of charge.

13. Any person or unit of government who has a dispute, or seeks relief from the terms of this Ordinance may seek resolution of that dispute or relief from the Board of Commissioners of Tippecanoe County. The Board of Commissioners of Tippecanoe County may grant such relief as is reasonable after recommendation of the County's MITS Director.

14. This Ordinance shall be effective September 1, 2002; and all Ordinances in conflict herewith are hereby repealed.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this ____ day of _____, 2002, by the following vote:

BOARD OF COMMISSIONERS OF
VOTE

TIPPECANOE COUNTY

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor
of Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on second reading this ____ day of _____, 2002, by the following vote:

VOTE

BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor
of Tippecanoe County

(unquote)

Mr. Murray explained this is an attempt to collect associated electronic data copy costs. Mr. Hasan said this Ordinance updates existing charges for digital data services.

- Commissioner Benson moved to approve Ordinance 2002-31-CM on first reading, seconded by Commissioner Knochel.

Auditor Plantenga recorded the vote:

KD Benson	Yes
John Knochel	Yes
Ruth Shedd	Absent

- The motion to approve Ordinance 2002-31-CM on first reading passed 2 – 0.

SERVICE AGREEMENT: Simplex

This is an annual Service Agreement with Simplex to test the fire alarm system in the Parking Garage. The \$652.00 fee due in August will be paid from the Parking Garage Maintenance Fund.

Attorney Masson pointed out two objections to the Agreement:

- ♦ It should say the laws of Indiana, not the laws of New York.
- ♦ The indemnity clause should be removed.
- Commissioner Benson moved to approve the Service Agreement with Simplex subject to the changes outlined by Attorney Masson, seconded by Commissioner Knochel; motion carried.

REPORTS

Reports from the Villa, the Treasurer, Weights & Measures, the Clerk of the Circuit Court, Veterans Affairs, and the County Library are on file in the Commissioners' Office for review.

PUBLIC COMMENTS

None.

RECESS

President Knochel recessed the meeting at 10:25 A.M. until the Poor Relief Hearing at 11:30 A.M.

POOR RELIEF HEARING: Isobel Ferguson vs Wea Township Trustee

Ms Ferguson, 3411 Chaucer Dr., Laf. was present to appeal her denial for rent assistance from the Wea Township Trustee.

Wea Township Attorney Don Daniel, and Wea Township Poor Relief Caseworker Roseanne Giltner were present to represent the Township.

President Knochel reconvened the meeting and turned the proceedings over to County Attorney Masson.

The witnesses were sworn in by Attorney Mason who then called upon Ms Ferguson to present her case.

Ms Ferguson said she applied for HUD assistance approximately one year ago but was not aware that her landlord had received a payment at the time she applied to the Township for her July rent. She said she needed help because she lost her job and could not receive unemployment because she did not have enough hours accumulated.

Mr. Daniel asked Ms Ferguson if she was treated unfairly by the Township and if the Township followed the rules. She said she was not treated unfairly and thought the Township followed the rules.

Mrs. Giltner explained why the Township Trustee denied assistance for July. She said when Ms Ferguson was given rent assistance in June Ms Ferguson was sure she had a job with Lafayette Venetian Blind and would not need assistance in July.

- ◆ Ms Ferguson refused the job because it required standing on concrete but did not comply with the Township's requirement of a statement of this fact from her doctor.
- ◆ Ms Ferguson presented no receipts for expenditures from Child Support payments.
- ◆ Ms Ferguson paid \$60.00 for TV cable which the Township considers wasted resources.
- ◆ Ms Ferguson's landlord did not return the Township's calls.

Mr. Daniel stated that Ms Ferguson knows how the system works and asked Mrs. Giltner how many times Ms Ferguson has received assistance from Wea Township. Mrs. Giltner said she has made application 20 times since July 1999 and received aid 19 times.

Attorney Masson asked if communication with the landlord was a Township Standard. Mrs. Giltner responded that she wanted him to be aware the process could take awhile, but a connection with him was never made.

Final Arguments

Ms Ferguson stated she is asking for help with her July rent and any assistance would be appreciated.

Mr. Daniel stated the Commissioners must decide if the Trustee followed the standards. He said Ms Ferguson indicates she was treated fairly.

Attorney Masson announced that the Commissioners have five (5) days to reach a decision. Any Findings of Facts by Ms Ferguson and Mr. Daniel should be submitted in writing to the Commissioners within 48 hours.

ADJOURNMENT

- Commissioner Benson moved to adjourn, seconded by Commissioner Knochel; motion carried.

Robert A. Plantenga, Auditor

**BOARD OF COMMISSIONERS OF
THE COUNTY OF TIPPECANOE**

John L. Knochel, President

KD Benson, Vice President

Ruth E. Shedd, Member

ATTEST:

Robert A. Plantenga, Auditor